

REMARKS

At the time of the Office Action dated August 5, 2003, claims 1-10 were pending and rejected in this application. Claims 2 and 5 have been amended, and claims 1 and 8 have been cancelled. Applicants have amended the specification to correct informalities involving incorrect figures being referred to in the specification. Claims 2 and 5 have been amended to address informalities associated with antecedent basis issues. Applicants submit that the present Amendment does not generate any new matter issue.

**CLAIMS 1-10 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON
JONES ET AL., U.S. PATENT NO. 6,318,537 (HEREINAFTER JONES)**

The Examiner asserted that one having ordinary skill in the art would have modified Jones to arrive at the claimed invention. This rejection is respectfully traversed.

The present invention is directed to preventing fraud, which occurs when genuine money is obtained by inserting counterfeit money into a coin dispensing apparatus. This fraud is a result of the structure of conventional coin dispensing apparatus. The conventional coin dispensing apparatus (i) discriminates between genuine coins and counterfeit coins, (ii) sorts the discriminated coins into each coin kind, and (iii) directly stores the coins into a coin storing unit. If a coin returning lever is operated, then coins which are the same kind and number as those inserted are dispensed from the coin storing unit, which allows the undetected counterfeit coins in the discriminating device to be stored in the uppermost portion of the coin storing unit.

Accordingly, if the coin returning lever is operated to return coins after coin insertion into the dispenser, then genuine coins at the lowermost position of the coin storing unit are dispensed.

Japanese Patent No. 8-147514, which is described in Applicants' specification, discloses a coin storing unit that temporarily holds the inserted coins before they are stored in the coin storing unit and returns the temporarily held coins if the coin returning lever is operated after the coin insertion. However, problems have arisen with this apparatus because the temporarily holding mechanism was provided between the sorting unit for inserted coins and the coin storing unit. Specifically, when only the temporarily holding mechanism was provided, the dispenser increased in size and had a more complicated structure, which complicated the process of assembling the dispenser and increased costs.

The claimed invention, as recited in independent claims 2 and 5, overcomes these issues by providing a wiper 12 or 52 at a lower part of the holding unit 8 for sweeping the inserted coins and a second storing unit 9 or 50 provided under or near the wiper 12 or 52 for sorting the inserted coins to the coin storing unit 6 or coin repayment unit 7. In contrast, Jones does not teach or suggest a wiper and a second storing unit with the lower part of the holding unit 52, 54, 56, 402a-f; and thus, the apparatus of Jones cannot return the inserted coins from the holding unit 52, 54, 56, 402a-f when the coin returning lever is operated after coin insertion. In this regard, the Examiner is referred to Fig. 20 and column 19, lines 11-20 of Jones, which states that:

the intermediate coin bins 402 are able to receive coins while dispensing coins to the convey paths 410, 412. The counters 404 only count those coins which are dispensed to the convey paths 410, 412. Accordingly, new coins directed into the intermediate coins bins 402 will not affect the bath values for the coins being dispensed to the convey paths 410, 412.

On page three of the Office Action, the Examiner referred to column 8, lines 27-35 of Jones as teaching a plunger device and asserted that this plunger device corresponds to the claimed wiper. Applicants respectfully disagree. The Examiner has failed to establish that one having ordinary skill in the art would interpret the claimed wiper as being identically disclosed by the plunger device disclosed by Jones.

On page three of the Office Action, the Examiner also asserted that "it would be obvious to provide a second sorting device ... so as to divert the output of said cylinders to a target requiring coins." Not only is the Examiner burdened to establish a motivation to modify, the Examiner is burdened to establish that the motivation to modify is found in the applied prior art. The Examiner, however, has failed to establish where Jones provides the motivation to modify itself. Furthermore, since the Examiner has failed to identify where the alleged motivation to modify Jones can be found, Applicants must infer that the Examiner has based the rejection on an impermissible hindsight reconstruction of the claimed invention. Based upon the foregoing, Applicants submit that one having ordinary skill in the art would not have been motivated to arrive at the claimed invention based upon Jones. Thus, Applicants respectfully solicit withdrawal of the imposed rejection of claims 2-7 and 9-10 under 35 U.S.C. § 103 for obviousness based upon Jones.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing

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remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417, and please credit any excess fees to such deposit account.

Respectfully submitted,

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